

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

RICKY VINCENT PENDLETON,

Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00249

DONNIE AMES, et al.,

Defendants.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On March 18, 2022, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations [ECF No. 20] (“PF&R”) and recommended that the court deny Plaintiff’s Motions for Default Judgment [ECF No. 18] and leave this matter referred to Magistrate Judge Tinsley for additional proceedings. Neither party timely filed objections to the PF&R nor sought an extension of time.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge

as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. Plaintiff's Motion for Default Judgment [ECF No. 18] is **DENIED** and this matter remains referred to Magistrate Judge Tinsley for additional proceedings.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 11, 2022



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE